

ORIGINAL



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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December 3, 2013

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO
Assistant County Counsel
Law Enforcement Services Division

RE: **Kahlil Muhammad v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC475659

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of December 17, 2013.

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled Khalil Muhammad vs. County of Los Angeles, et al., Los Angeles Superior Court Case Number BC 475659 in the amount of \$135,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of false arrest by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Khalil Muhammad v. County of Los Angeles, et al.
CASE NUMBER	BC475659
COURT	Los Angeles Superior Court
DATE FILED	Complaint filed: Dec. 21, 2011
COUNTY DEPARTMENT	Sheriff's Department Contract Cities Trust Fund – Santa Clarita Valley
PROPOSED SETTLEMENT AMOUNT	\$ 135,000
ATTORNEY FOR PLAINTIFF	Evan M. Zucker Kabateck Brown Kellner LLP Mark J. Geragos Geragos & Geragos, P.C.
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>This is a recommendation to settle for \$135,000, the lawsuit filed by Khalil Muhammad against the County of Los Angeles and two Sheriff's Deputies alleging civil rights violations arising from an arrest in a Best Buy parking lot in Santa Clarita.</p> <p>While we believe the Deputies acted reasonably and the arrest was supported by probable cause, due to the uncertainties of litigation, a full and final settlement</p>

of the case in the amount of
\$135,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	51,179
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PAID COSTS, TO DATE	\$	1,576
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Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Friday, April 29, 2011; approximately 5:15 p.m.
Briefly provide a description of the incident/event:	<p><u>Khalif F. Muhammad v. County of Los Angeles</u> Summary Corrective Action Plan No. 2013-025</p> <p>On Friday, April 29, 2011, at approximately 5:15 p.m., Los Angeles County deputy sheriffs assigned to the Department's Santa Clarita Valley Station received a radio call of a burglary in progress at a large electronic retail store. A loss prevention officer employed by the store told one of the deputy sheriffs the suspect purchased an item with a fraudulent credit card and ran from the store. The loss prevention officer told the deputy sheriff another store employee witnessed the crime and followed the suspect as he ran from the store and into the parking lot.</p> <p>The store employee followed the burglary suspect to a vehicle and watched as he appeared to pass items through the passenger window and flee. The store employee approached the vehicle and saw what he believed to be the stolen item laying on the front passenger seat.</p> <p>Based on this information, one of the deputy sheriffs (a sergeant) approached the vehicle and detained the driver (plaintiff). He was subsequently arrested and taken into custody.</p> <p>On May 3, 2011, the case was presented to representatives from the Los Angeles County District Attorney's Office for their review and consideration. On May 4, 2011, the case was rejected by the Los Angeles County District Attorney's office and the plaintiff was released from custody.</p>

1. Briefly describe the **root cause(s)** of the claim/lawsuit:

The root cause in this incident is an allegation of false arrest committed by members of the Los Angeles County Sheriff's Department.

County of Los Angeles
Summary Corrective Action Plan

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

This incident was reviewed by representatives from the Los Angeles County Sheriff's Department's Santa Clarita Valley Station. No employee misconduct is suspected or alleged, and no systemic issues were identified. Consequently, no personnel-related administrative action was taken and no other corrective action measures are recommended nor contemplated.

3. Are the corrective actions addressing department-wide system issues?

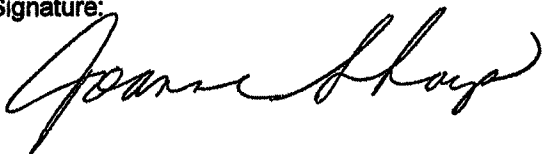
- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Joanne Sharp, Captain
Risk Management Bureau

Signature:



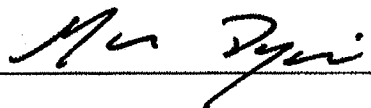
Date:

11-13-13

Name: (Department Head)

Glen Dragovich, Division Director
Administrative and Training Division

Signature:



Date:

11/15/13

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.
- ☐ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

LEO COSTANTINO

Signature:



Date:

11/21/13